

### REMARKS

Claims 1-16 are pending in the above-identified application.

The Examiner rejects all of the pending claims under 35 U.S.C. § 103(a) as being unpatentable over the combination of Wiedeman et al. (Wiedeman) and Levanon et al. (Levanon). Both of these references are newly-cited.

Applicant respectfully traverses this rejection as follows.

As explained in Applicant's previous Amendment filed August 22, 2003, Applicant's claimed invention provides satellite signal transmitting and receiving methods which comprise unique combinations of method steps. Also, Applicant's claimed invention provides satellites comprising unique combinations of features. Some of the unique combinations of method steps and features include, *inter alia*, offsetting signals by at least one chip of the spread spectrum modulation (claim 1; see also claims 2, 6 and 10). Other combinations include, *inter alia*, spread spectrum modulating, using different sequences, signals to be transmitted (claim 5; see also claim 11).

The Examiner acknowledges that Wiedeman does not disclose at least the above-noted method steps and features of Applicant's claimed invention (see Office Action, page 2). In fact, Wiedeman discloses nothing more than a conventional satellite having L-band and S-band antennas 12d and 12c (see Id., col. 5, lines 20-35; and Fig. 3A).

The Examiner offers a piecemeal analysis of Wiedeman's disclosure (i.e., CDMA subsystem 52, which includes signal summer/switch unit 52a (see Id., col. 6, lines 39-48), and user terminal 13, which includes a modulator and demodulator having spread spectrum circuitry

for modulating and spreading the uplink transmissions and for demodulating and de-spreading the downlink transmissions (see Id., col. 13, line 61 through col. 14, line 21), see Office Action, page 2). Such a piecemeal approach is improper, and does not support the Examiner's allegation that one skilled in the art would have been motivated to modify Wiedeman to include additional circuitry and/or programming required for offsetting signals by at least one chip of the spread spectrum modulation, or spread spectrum modulating, using different sequences, signals to be transmitted.

The Examiner is once again directed to the guidelines set forth in MPEP §2143.01 (proposed modification cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of a reference).

Furthermore, and contrary to the Examiner's analysis, Levanon does not supply Wiedeman's acknowledged deficiencies.

Levanon discloses a system and method for determining position of a user terminal (e.g., a mobile telephone) in a satellite communication system. In particular, Levanon discloses a method which includes:

determining a set of parameters that describe the temporal and spatial relationships between the user terminal and the satellites, and solving for the position of the user terminal using some or all of the parameters, and the known positions and known velocities of the satellites (Id., col. 4, lines 34-38)

Contrary to the Examiner's analysis, Levanon's positioning system has nothing to do with Applicant's claimed invention which addresses the problem of poor antenna coverage in a two-antenna system where the radiation patterns of the two antennas overlap. Furthermore,

nowhere does Levanon, or Wiedeman, disclose or suggest that the teaching of Wiedeman, which is directed to “resource assignment techniques for satellite communications” (see Wiedeman, col. 1, line 26 through col. 2, line 49) may somehow be combined with the teaching of Levanon, which is directed to position determination systems (see Levanon, col. 1, line 23 through col. 5, line 6).

Finally, contrary to the Examiner’s analysis, Levanon does not disclose or suggest offsetting signals by at least one chip of the spread spectrum modulation, as required by Applicant’s claims 1, 2, 6 and 10, nor spread spectrum modulating, using different sequences, signals to be transmitted, as required by Applicant’s claims 5 and 11. In fact, at col. 6 through col. 15 (which include the passages cited by the Examiner), Levanon describes nothing more than “A Typical Satellite Communication System”. While at col. 9, lines 20-21, Levanon discloses that “[m]ultiple antennas 310 are used in some communication systems”, Levanon does not even mention, let alone address, the problem of poor antenna coverage in an area where the radiation patterns of the two antennas overlap.

Therefore, even an unlikely combination of Wiedeman and Levanon would not result in Applicant’s claimed invention.

In summary, Applicant’s independent claims 1, 2, 5, 6, 10 and 11, as well as their dependent claims 3, 4, 7-9 and 12-16 (which incorporate all the novel and unobvious features their respective base claims), would not have been obvious from any reasonable, albeit unlikely, combination of Wiedeman and Levanon.

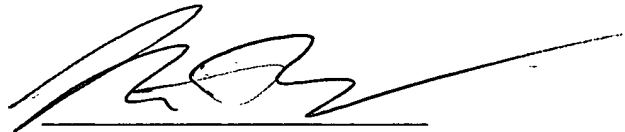
Response Under 37 C.F.R. § 1.111  
U.S. Appln No. 09/471,281

Atty Dkt No. Q57406

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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**23373**

CUSTOMER NUMBER

Date: February 24, 2004